

## **EXHIBIT 3**

**Michael V. Galo, Jr.**

Michael V. Galo Jr. dedicates his practice to all areas of federal and state employment and labor law. Mr. Galo has a particular interest in issues relating to the Americans with Disabilities Act, the Texas Workers' Compensation Act, the Family and Medical Leave Act, and the various federal and state whistleblower and anti-retaliation laws. He also has extensive experience representing management in matters relating to the National Labor Relations Act, union-organizing campaigns, collective bargaining and union arbitrations. He also has handled dozens of cases under the Fair Labor Standards Act, including a number of collective actions under Section 216(b).

Mr. Galo is Board Certified in Labor and Employment by the Texas Board of Legal Specialization and is AV rated by Martindale-Hubbell. He also has been consistently named as a Texas Super Lawyer in Labor and Employment Law. He is also listed in Best Lawyers in America 2012, 2013, 2014, and 2015.

Since 1994, Mr. Galo has handled numerous cases and matters involving non-competition agreements, covenants of confidentiality, and the protection of trade secrets under both state and federal law. He also litigates cases under the Surface Transportation Assistance Act and the AIR21 Act before U.S. Department of Labor Administrative Law Judges and the Administrative Review Board.

Mr. Galo has represented clients in a variety of industries such as trucking, banking, retail, hospitality, healthcare, oil and gas, and information technology. Mr. Galo prides himself on his ability to see "both sides of the coin" and to give his clients meaningful and practical advice on how best to navigate through the legal process.

Mr. Galo has significant jury trial experience, having tried a number of employment discrimination and retaliation cases to verdict in state and federal court. Mr. Galo also maintains an active appellate practice, having served as lead counsel in 19 employment cases before the U.S. and Texas Courts of Appeals. Nine of these cases have proceeded to oral argument.

Representative cases: *Kanida v. Nursefinders*, 363 F.3d 568 (5th Cir. 2004) (affirming jury verdict for employer and holding that district court did not commit reversible error in instructing the jury); *Pineda v. United Parcel Service, Inc.*, 360 F.3d 483 (5th Cir. 2000) (holding that heightened "pretext plus" standard applies to cases under the Texas Commission on Human Rights Act); *Qualls v. Lack's Stores, Inc.*, 1999 U.S. Dist. LEXIS 5731 (N.D. Tex. 1999) (early ADA case holding that employee with Hepatitis C was not substantially limited in any major life activity),

aff'd, 210 F.3d 369 (5th Cir. 2000); *Rodriguez v. Roadway Express, Inc.*, 1997 WL 839014 (S.D. Tex. Dec. 2, 1997) (summary judgment for the employer in early ADA "reasonable accommodation" case and holding that the employee broke off "interactive process"), aff'd, 199 F.3d 437 (5th Cir. 1999); and *Rook v. Xerox Corp.*, 55 Fed. Appx. 716 (5th Cir. 2002) (affirming summary judgment for employer in ADA/FMLA case and finding no evidence that employee had been terminated, and also that the district court did not err in abbreviating discovery); *Chavarria v. Despachos Del Norte, Inc.*, 2005 WL 1515472 (S.D. Tex, Jun. 22, 2005) (dismissing Plaintiffs's age discrimination claims resulting from reduction in force); *Seidler v. United Parcel Service*, 2005 WL 831839 (W.D. Tex. 2005) (dismissing Plaintiffs's case for negligence, conversion, and violations of DTPA based upon preemption under the Airline De-Regulation Act); *Susan Esquivel et al v. Hillcoat Properties*, 484 F.Supp.2d 582 (W.D. Tex. 2007); *Lee v. Waste Management*, 2008 WL 246374 (S.D. Tex. 2008) (transferring ADA case to Western District of Texas based upon convenience of the parties); *Stelly v. San Antonio Aerospace, L.P.*, No. 04-11-00478 (Tex. App.--San Antonio, 2012) (affirming summary judgment for employer in racial and sexual harassment case); *Jeffrey Cole v R Construction Co.*, Administrative Review Board, ARB Case No. 12/037, ALJ Case No. 2011-STA-22 (Sept. 20, 2012); *In re Val Trif*, 2012 WL 5234478 (Tex. App.—San Antonio 2012); *Stacy Crane v. Gore Design Completion, Ltd., et al*, \_\_ F. Supp. \_\_, 2014 WL 2153915 (W.D. Tex. 2014); *Joan Gonzalez v. Texas Health and Human Services Commission, et al.*, 2014 WL 6606629 (W.D. Tex., November 19, 2014); *Escobar v. Rental Express*, 2014 WL 8624267 (W.D. Tex., August 25, 2014) (granting summary judgment for Plaintiffs's on FLSA exception issues); *Huchingson v. Rao*, 2015 WL 1655113 (W.D. Tex., April 14, 2015) (granting employer's motion to dismiss class allegations in FLSA case); *Leyva v. 35 Bar & Grill, LLC*, 2015 WL 5751638 (W.D. Tex., September 22, 2015) (limiting Plaintiffs's right to information regarding putative class members in FLSA case); *Keen v. DXP Enterprises, Inc.*, 2016 WL 3253895 (W.D. Tex., June 6, 2016) (granting Plaintiffs's motion for summary judgment on exemption issue).

Mr. Galo is also a regular speaker at human resources and continuing legal education seminars.

Mr. Galo is a native Laredo, Texas, where much of his family still resides. He speaks Spanish and maintains an active practice in Webb County and across the Texas/Mexico border. Mr. Galo is married to Blanca Pellegrin Galo, and they have one son.

#### **Areas of Practice:**

- Labor and Employment
- Civil Trial
- Civil Appeals

**Certifications and Honors:**

Board Certified, Labor and Employment Law, Texas Board of Legal Specialization  
AV Rated, Martindale Hubbell (highest rating)  
Texas Super Lawyer, 2004, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016  
Best Lawyers in America 2012, 2013, 2014, 2015, and 2016

**Bar Admissions:**

Texas, 1994  
U.S. District Court Western District of Texas, 1996  
U.S. District Court Northern District of Texas, 1995  
U.S. District Court Southern District of Texas, 1994  
U.S. Court of Appeals 5th Circuit, 1995

**Education:**

Stanford Law School, Stanford, California, J.D. 1994  
Law Review: Notes Editor, Stanford Law Review, 1993 – 1994

Princeton University, Princeton, New Jersey, B.A. 1991

*Honors:* Summa Cum Laude; Senior Thesis Prize for “The St. Albans Psalter and Its Role in the Development of English Romanesque Manuscript Illumination”  
Major: Art History and Archaeology

**Professional Associations and Memberships:**

State Bar of Texas  
San Antonio Bar Association  
San Antonio Bar Foundation, Life Fellow  
Texas Bar Foundation, Life Fellow

**Past Employment Positions:**

United States District Court, Southern District of Texas, Hon. George P. Kazen, Law Clerk, 1994 – 1995  
Akin, Gump, Strauss, Hauer & Feld, L.L.P., 1996-2005, Counsel,

**References:**

Available upon request